

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (MODIFIED)		ATTORNEY'S DOCKET NUMBER X-15555
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) <b>10/510393</b>
INTERNATIONAL APPLICATION NO. <b>PCT/US03/00821</b>	INTERNATIONAL FILING DATE <b>31 March 2003 (31.03.03)</b>	PRIORITY DATE CLAIMED <b>09 April 2002 (09.04.02)</b>
TITLE OF INVENTION: <b>GROWTH HORMONE SECRETAGOGUES</b>		
APPLICANT(S) FOR DO/EO/US: Britta EVER, Gerd RUEHTER, Mark Joseph TEBBE, Eva Maria MARTIN DE LA NAVA		
Applicant herewith submits to the U.S. Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))       <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))       <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A declaration of the inventors 35 U.S.C. 371(c)(4) was provided in the PCT Request Form.</p> <p>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (IPER), including any annexes, and, if not in English, an English language translation of the annexes to the IPER under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 12. to 18. below concern document(s) or information included:		
<p>12. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>13. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>14. <input type="checkbox"/> Assignment has been recorded at reel _____, frame _____.</p> <p>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>17. <input type="checkbox"/> A Sequence Listing, Statement, and diskette.</p> <p>18. <input checked="" type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>18. <input checked="" type="checkbox"/> Other items or information:</p> <p>Please amend the first page of the specification by inserting the following cross-reference after the title:      "This is the national phase application, under 35 USC 371, for PCT/US03/08821, filed 31 March 2004 which, claims the benefit, under 35 USC 119(e), of US provisional application 60/371,271, filed 09 April 2002, 60/371,270, filed 09 April 2002, 60/371,278 filed 09 April 2002, 60/371,275 filed 09 April 2002, 60/371,277 filed 09 April 2002, and EP provisional application 0208116.4 filed 09 April 2002, 0208117.2 filed 09 April 2002, 0208118.0 filed 09 April 2002, 0208119.8 filed 09 April 2002, and 0208120.6 filed 09 April 2002."</p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.492(e)) <b>10/510383</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US03/00821</b>	ATTORNEY'S DOCKET NUMBER <b>X-15555</b>																																																												
19. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY																																																													
<p><b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b></p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. <b>\$1110.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$950.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... <b>\$790.00</b></p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$750.00</b></p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... <b>\$100.00</b></p>																																																															
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<p>Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <b>20 30</b> months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> <tr> <td>Total claims</td> <td>20 - 20=</td> <td></td> <td><b>X \$18.00</b></td> </tr> <tr> <td>Independent claims</td> <td>3 - 3=</td> <td></td> <td><b>X \$88.00</b></td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td colspan="2"><b>+ \$300.00</b></td> </tr> <tr> <td colspan="4" style="text-align: center;"><b>TOTAL OF ABOVE CALCULATIONS = \$ 950.00</b></td> </tr> <tr> <td colspan="4"> <p>Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).</p> <p style="text-align: center;"><b>SUBTOTAL = \$ 950.00</b></p> </td> </tr> <tr> <td colspan="4"> <p>Processing fee of <b>\$130.00</b> for furnishing English translation later than <b>20 30</b> months from the earliest claimed priority date (37 CFR 1.492(f)).</p> <p style="text-align: center;"><b>TOTAL NATIONAL FEE = \$</b></p> </td> </tr> <tr> <td colspan="4"> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).</p> <p style="text-align: center;"><b>\$40.00 per property</b></p> </td> </tr> <tr> <td colspan="4" style="text-align: center;"><b>TOTAL FEES ENCLOSED = \$ 950.00</b></td> </tr> <tr> <td colspan="2" style="text-align: right;"> <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.  <input checked="" type="checkbox"/> Please charge my Deposit Account No. 05-0840 in the amount of <u>\$950.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.  <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.         </td> <td>Amount to be refunded</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>charged</td> <td>\$</td> </tr> <tr> <td colspan="4"> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> </td> </tr> <tr> <td colspan="2"> <b>SEND ALL CORRESPONDENCE TO:</b>  <b>ELI LILLY AND COMPANY</b>  <b>PATENT DIVISION</b>  <b>P.O. BOX 6288</b>  <b>INDIANAPOLIS, INDIANA 46206-6288</b> </td> <td colspan="2">   <b>SIGNATURE</b>  <hr/> <b>William R. Boudreaux</b>  <hr/> <b>NAME</b>  <hr/> <b>(317) 276-0755</b>  <hr/> <b>TELEPHONE NUMBER</b> </td> </tr> <tr> <td colspan="2"> <hr/> <b>Date</b>  <b>35,796</b> </td> <td colspan="2">   <b>25885</b>  <hr/> <b>PATENT TRADEMARK OFFICE</b> </td> </tr> <tr> <td colspan="4" style="text-align: center;">[PAGE 2 OF 2]</td> </tr> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	20 - 20=		<b>X \$18.00</b>	Independent claims	3 - 3=		<b>X \$88.00</b>	MULTIPLE DEPENDENT CLAIM(S) (if applicable)		<b>+ \$300.00</b>		<b>TOTAL OF ABOVE CALCULATIONS = \$ 950.00</b>				<p>Reduction by 1/2 for filing by small entity, if applicable. 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10/06/04 DT14 Rec'd PCT/PTO 05 OCT 2004 PCT

IN THE UNITED STATES RECEIVING OFFICE (USRO)

10/1510393

Applicants: Britta EVERS, Gerd RUEHTER, Eva Maria MARTIN DE LA NAVA,  
and Mark Joseph TEBBE

International Application No.: PCT/US03/08821

Filed: 31 March 2003 (31.03.03)

Invention: GROWTH HORMONE SECRETAGOGUES

Lilly Reference: X-15555

Earliest Priority Date: 09 April 2002 (09.04.02)

**Certificate Under 37 C.F.R. § 1.10**

Attention: DO/EO  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

"Express Mail" mailing label number: EL832893655US

Date of Deposit: 10-05-04

I hereby certify that the following attached paper or fee Transmittal Letter to the United States Designated/Elected Office (US) concerning a filing under 35 U.S.C. 371 of the International Application identified above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Queen Thomas  
(Typed or printed name of person mailing paper)

Queen Thomas  
(Signature of person mailing paper or fee)